

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bell *et al.*

Confirmation No.: 7498

Appl. No. 10/743,649

Art Unit: 1645

Filed: December 22, 2003

Examiner: R. Zeman

For: **ONCOLYTIC VIRUS**

Atty. Docket: 18003-D2

Cust. No. 31976

Interview Summary

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants gratefully acknowledge the courtesies extended by Examiner Robert Zeman during a personal interview held March 5, 2008, with Applicants' representative, Doug Golightly.

The claims rejected under 35 U.S.C. § 112, first paragraph, as requiring a deposit of biological organisms for enablement of the claims were discussed. The Examiner indicated that he was concerned about the VSV strains, recited in the rejected claims, being available for the life of the patent. No agreement was reached.

The claims rejected under 35 U.S.C. § 112, first paragraph, as not meeting the enablement requirement were discussed. Applicants' representative discussed that one skilled in the art, based on the teachings of Applicants' specification, could readily make and use the invention commensurate with the scope of the claims. In particular, one skilled in the art could readily utilize the claimed invention, resulting in the reduction of the viability of a melanoma tumor cell *in vitro* or *in vivo*. No agreement was reached.

Conclusion

It is not believed that extensions of time are required beyond those that may otherwise be provided for herein or in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, The United States Patent and Trademark Office is hereby authorized to charge any fee deficiency required to prevent abandonment of the current application or credit any overpayment to Deposit Account 50-1677.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

/Douglas A. Golightly/
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Date: April 9, 2008